

## REMARKS

Minor informalities in the specification have been corrected, as indicated above.

Claims 1-26 were pending in the present application and were rejected by the Examiner. Upon entry of this Response, claims 1-6, 9, 10, and 14-26 will be pending, claims 7, 8 and 11-13 having been canceled in this paper.

### **Claim Rejections under 35 USC § 102**

Claims 1-5, 9-10, 20-23 and 25-26 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,553,507 ("Cohen").

Claim 1 is directed to a "method of supporting a software program", including "receiving error data for at least a first error", "identifying a patch for said at least first error" and "forwarding said patch to update said software program". Moreover, claim 1 has now been amended to recite that the "at least first error" includes "a user error performed by a user in operating the software program". Support for this amendment to claim 1 is found in former claim 8 as originally filed in this application, and at page 5, lines 15-18 and 27-30 of the specification.

With respect to former claim 8, the Examiner stated that the Cohen reference discloses identifying and providing a patch for a user error. In this respect the Examiner referred to column 2, lines 10-15 of the Cohen reference. On this point, applicants respectfully traverse the Examiner's position.

In the paragraph of the Cohen reference that includes lines 10-15 of column 2, there is a general discussion of detecting and handling faults, and it is stated that "one or more fault handlers may be provided for each fault to be handled." However this passage does not in any way disclose or suggest that the faults or errors to be detected and handled may include a "user error". More specifically, this passage of the reference does not disclose or suggest "receiving error data for ...a first error", where the first error includes "a user error performed by a user in operating" a software program, as now recited in claim 1. The balance of the reference also fails

to disclose or suggest this limitation now recited in claim 1. It is accordingly submitted that claim 1, as now amended, is patentable over the Cohen reference.

Claims 21, 25 and 26 have been amended in a similar fashion to claim 1 and are therefore believed to be patentable on the same basis as claim 1. Also, the other claims rejected under § 102 are dependent on either claim 1 or claim 21 and are submitted as patentable on the same basis as their parent independent claims.

**Claim Rejections under 35 USC § 103**

Claims 6, 14-19, and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cohen in further view of U.S. Patent No. 6,151,643 (“Cheng et al.”) referred to hereinafter as “Cheng”.

The claims rejected under § 103 are dependent on either claim 1 or claim 21 and are therefore believed to be patentable on the same basis as their parent independent claims. In this regard it is noted that Cheng does not disclose or suggest receiving or providing information regarding a “user error”, or indeed regarding any type of error.

Further, it is noted in regard to claims 6 and 24 that these claims recite the further limitation of “notifying a third party of said at least first error”. With respect to these claims, the Examiner stated that Cheng discloses receiving payment for a patch from a provider of the software program. From this the Examiner apparently inferred that Cheng discloses “notifying a third party of at least first error”. However, applicants respectfully urge that this inference by the Examiner is unwarranted. Putting aside the point that Cheng generally seems to disclose payments for updates by end users, not software vendors, it is more significant that nothing in Cheng discloses detecting or reporting an error. Accordingly, Cheng also fails to disclose notifying a third party of an error.

Applicants therefore respectfully submit that claims 6 and 24 are patentable on grounds that are independent of the grounds of patentability of claims 1 and 21.

**Conclusion**

Accordingly, Applicants respectfully request allowance of the pending claims. If any issues remain, or if the Examiner has any further suggestions for expediting allowance of the present application, the Examiner is kindly invited to contact the undersigned via telephone at (203) 972-3460.

Respectfully submitted,



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Date

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